

ESTTA Tracking number: **ESTTA708938**

Filing date: **11/16/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91215463
Party	Defendant Old Bust Head Brewing Co., LLC
Correspondence Address	JOHN P PENNINGTON SMITH GAMBRELL & RUSSELL LLP 1055 THOMAS JEFFERSON ST NW, SUITE 400 WASHINGTON, DC 20007 UNITED STATES jpennington@sgrlaw.com, epennington@sgrlaw.com, docketing@sgrlaw.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	John P. Pennington
Filer's e-mail	jpennington@sgrlaw.com, epennington@sgrlaw.com, docketing@sgrlaw.com
Signature	/John P. Pennington/
Date	11/16/2015
Attachments	Request for Extension of Time.pdf(9832 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

*In the Matter of Application Serial No. 85908241 for OBH  
Published in the Official Gazette of Sep. 17, 2013*

Home Box Office, Inc.,	)	
Opposer,	)	
	)	
v.	)	
	)	Opposition No. 91215463
Old Bust Head Brewing Co., LLC,	)	
Applicant.	)	

**MOTION FOR EXTENSION OF ANSWER WITH CONSENT**

Applicant Old Bust Head Brewing Co., LLC, with the consent of Opposer, Home Box Office, Inc. hereby requests a thirty (30) day extension of all deadlines in the above-referenced opposition proceeding be reset as follows:

Time to Answer :	12/17/2015
Deadline for Discovery Conference :	1/16/2015
Discovery Opens :	1/16/2015
Initial Disclosures Due :	02/15/2016
Expert Disclosures Due :	6/14/2016
Discovery Period to Close :	7/14/2016
Plaintiff Pretrial Disclosures :	8/28/2016
Plaintiff's 30-day Trial Period Ends :	10/12/2016
Defendant's Pretrial Disclosures :	9/27/2016
Defendant's 30-day Trial Period ends :	12/11/2016
Plaintiff's Rebuttal Disclosures :	12/26/2016
Plaintiff's 15-day Rebuttal Period Ends :	1/25/2016

Opposer consented to this motion via email on November 16, 2015.

The parties are engaged in settlement discussions therefore this request is made in good faith and not merely for delay. The parties continue to engage in settlement discussions and, as a result have more significantly narrowed the issues and are now finalizing certain nuances of the settlement language, which the parties reasonably anticipate will occur prior to the conclusion of the requested extension. For the sake of efficiency (time and costs), no discovery has taken place given the anticipated settlement.

For the reasons set forth herein, Applicant, with the consent of Opposer, respectfully requests that the Board grant this extension of time.

SMITH, GAMBRELL & RUSSELL, LLP

Dated: November 16, 2015

By: /s/ John P. Pennington  
John P. Pennington  
1055 Thomas Jefferson St., N.W.,  
Washington, DC 20007  
Tel: (202) 263-4360

*Attorney for Applicant  
Old Bust Head Brewing Co., LLC*

